

It is the policy of the Washington State Department of Transportation (WSDOT) to provide all of its employees with a working environment free from all forms of discrimination (including harassment) related to race, color, national origin, creed, religion, age, sex, sexual orientation, marital status, Vietnam-era veteran status, disabled veteran status, or the presence of a mental, physical, emotional, or sensory disability. To this end, the agency is committed to affirmatively provide services and programs in a fair, equitable, and impartial manner.

Harassment, a form of discrimination, consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's race; color; religion; creed; national origin; age; sex; sexual orientation; physical, mental, emotional, or sensory condition; marital status; veteran status; or other protected group status. WSDOT will not tolerate harassment that creates an intimidating, hostile, or offensive work environment, and/or that unreasonably affects an individual's work performance.

The department also acknowledges the need for affirmative action to offset the present effects of past discrimination and to ensure equal opportunity is provided for all. Brenda Richardson, Director, Office of Equal Opportunity (OEO), Mail Stop 7314, (360) 705-7090, has been given the responsibility to develop and monitor affirmative action and other equal employment opportunity programs for WSDOT. The department has developed and periodically updates a comprehensive Affirmative Action Plan to initiate and sustain employment, training, and career development opportunities for persons who have been historically under-represented in state employment when identified by race, age, disability, sex, or Vietnam-era and disabled veteran status. A copy of the current Affirmative Action Plan is available in each region's personnel organization, in the office of each appointing authority in designated regional and AA/EO offices, and in the WSDOT Olympia Service Center OEO.

All managers and supervisors are responsible for actively supporting recruitment and career development programs to ensure equitable representation of protected group members. Failure on the part of any departmental employee to carry out the spirit and intent of the policy, rules, and procedures concerning equal opportunity will be cause for corrective action.

All departmental employees are responsible for providing a cooperative working environment for all employees including those who are members of protected groups. No form of discrimination, harassment, or retaliation against any employee will be tolerated. The following types of conduct are grounds for immediate disciplinary action, up to and including dismissal:

1. Offensive, insulting, or degrading remarks based on an individual's race, color, national origin, creed, religion, age, sex, sexual orientation, marital status, Vietnam-era veteran status, or disability.
2. Threats, demands, or suggestions that an employee's work status is contingent upon the employee's tolerance of, or acquiescence to conduct prohibited by this policy.

3. Harassment which has the purpose or effect of unreasonably interfering with an individual's work performance or which creates an intimidating, hostile, or offensive work environment. Examples of such harassment include, but are not limited to, telling racist or sexist jokes during work time, use of racially or sexually oriented language considered derogatory, or the availability in the work place of racially or sexually explicit photographs or cartoons which a reasonable person could find offensive.
4. Retaliation against an employee for complaining about any of the conduct described above.

Harassment not only consists of blatant offensive behavior, but may include subtle acts or comments, such as referring to African-Americans as "colored people," or using the term "Jew" when referring to someone who is thrifty. If you receive a complaint of discrimination or harassment, **DO NOT IGNORE IT** — no matter how petty it may seem to you. You must make it clear that discrimination and harassment will not be tolerated.

Derogatory comments, jokes, and slurs of a racial, sexual, ethnic, or religious nature can also be considered harassment. Additionally, harassment violates this policy, state and federal laws in and outside the workplace, should the behavior negatively impact the work environment.

Individuals who feel they have been subjected to discrimination (including racial, sexist, religious, national origin, sexual orientation, marital status, or disability jokes and slurs) shall make it clear that such behavior is offensive to them and shall immediately report the incident to one of the following: their immediate supervisor, that person's supervisor(s), her/his appointing authority, their personnel officer, the Regional Affirmative Action Officer, or the WSDOT OEO.

Anyone made aware of such conduct shall immediately report the alleged conduct to OEO. WSDOT considers discrimination and harassment to be a serious offense and strictly enforces this policy. Supervisors are reminded that it is their responsibility to immediately stop and report any activity that might possibly be related to discrimination or harassment. Employers can be held liable for discrimination if they knew or should have known about the activity. Courts require immediate action from an employer who receives a report of discrimination and have ruled that continued discrimination after the employee reports the incident could be enough to prove that the employer did not take immediate action. Once an incident is reported, OEO will provide guidance and assistance to the supervisor in resolving the situation.

Confidentiality regarding a complaint will be maintained to the greatest extent possible in order to prevent embarrassment, further harassment, or retaliation. Retaliation against any employees involved in a complaint or an investigation of discrimination is unlawful and is grounds for corrective action.

WSDOT will continue to place strong emphasis on the importance of keeping our workplace free of any form of discrimination or harassment and will ensure that all such legitimate complaints are investigated in a timely manner.